

**OCEAN ADVOCATES***a voice for the silent sea*

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RE: Docket No. 020603140-3010-02, I.D. 050102G

Depleted Status of Southern Resident Killer Whale Stock

28 March 2003

This comment letter is written on behalf of Ocean Advocates and Orca Conservancy in response to your January 30, 2003 Federal Register Notice (Vol. 68, No. 20).

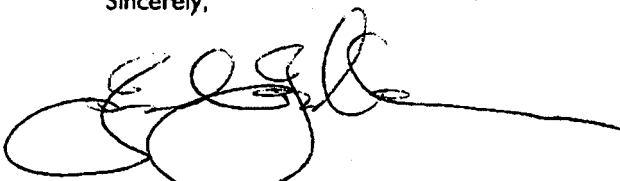
Rarely are resource managers afforded absolute counts on a population stock under their jurisdiction free of charge for nearly three decades, as has been the case with the Southern Resident Community of orcas. The 20% decline over the past six years of the Southern Resident stock, without the uncertainty associated with population estimates, makes it irrefutable that this remnant population is in need of immediate attention.

Given the challenges associated with managing a long-lived, transboundary population of top predators, it is unfortunate that you have chosen to use the MMPA depleted tool rather than the far more robust authority afforded you under the ESA. Nevertheless, it is clear that this population is "depleted" based on its population decline and urge you to move forward in the development of a conservation plan.

We stand ready to assist in the development of a conservation plan. During your initial efforts, we urge you to draw from the findings of the three-day Orca Recovery Conference we hosted last June at the University of Washington. We will be providing you with more detailed recommendations and data from the upcoming Georgia Basin/Puget Sound Research Conference in Vancouver and from the analysis we are currently completing of whale watching impacts. We will also be participating in the 2003 International Oil Spill Conference ([www.IOSC.org](http://www.IOSC.org)) in Vancouver and Whale Watching Conference later next month in San Diego, the results from which we will be sharing with you as well.

Thank you for your consideration.

Sincerely,



Fred Felleman, MSc.  
Ocean Advocates



Michael Harris  
President, Orca Conservancy